



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/679,916	10/05/2000	Robert E. Ellingson	13481.1US01	8813
23552	7590	04/22/2004	EXAMINER	
MERCHANT & GOULD PC P.O. BOX 2903 MINNEAPOLIS, MN 55402-0903			MOORTHY, ARAVIND K	
			ART UNIT	PAPER NUMBER
			2131	

DATE MAILED: 04/22/2004

7

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/679,916

Applicant(s)

ELLINGSON, ROBERT E.

Examiner

Aravind K Moorthy

Art Unit

2131

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 October 2002.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☒ Claim(s) 3 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 October 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 2.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-25 are pending in the application.
2. Claims 1-25 have been rejected.

Specification

3. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

The abstract exceeds the 150-word limit.

Claim Objections

4. Claim 3 is objected to because of the following informalities: misspelling. The word "signaling" has been spelled as "signalling". Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

5. Claims 1-4 and 6-13 are rejected under 35 U.S.C. 102(e) as being anticipated by Wilson et al U.S. Patent No. 6,047,281.

As to claim 1, Wilson et al discloses obtaining a list of at least two identity verifiers. Wilson et al discloses linking the identity verifiers on the list to at least one numerical identifier wherein the numerical identifier is associated with the registered user [column 5, lines 39-67]. Wilson et al discloses receiving a numerical identifier from a requesting party. Wilson et al discloses receiving an identity verifier from a requesting party. Wilson et al discloses determining whether the received identity verifier is linked to the received numerical identifier [column 7, lines 11-49]. Wilson et al discloses communicating information to the requesting party indicating whether the received identity verifier is linked to the received numerical identifier [column 6, lines 31-43].

As to claim 2, Wilson et al discloses that the communicating information step signals that the received identity verifier is linked to the received numerical identifier by sending a verification transaction identifier to the requesting party [column 7, lines 11-49].

As to claim 3, Wilson et al suggests determining whether the identity verifier received from the requesting party has been used before. Wilson et al suggests communicating

Art Unit: 2131

information to the requesting party signaling whether the identity verifier has been used before [column 8, lines 23-37].

As to claim 4, Wilson et al suggests the step of archiving the identity verifier and the verification transaction identifier [column 9, lines 10-24].

As to claim 6, Wilson et al discloses that the at least one numerical identifier is a social security number [column 5, lines 54-67].

As to claim 7, Wilson et al discloses that the at least one numerical identifier is a drivers license number [column 5, lines 54-67].

As to claims 8-10, Wilson et al suggests that at least one numerical identifier is a bank account number, phone number or a credit card number [column 5, lines 54-67].

As to claim 11, Wilson et al discloses receiving a uniqueness suffix and wherein the determining step comprises determining whether the received identity verifier is linked to the received numerical identifier and the received uniqueness suffix [column 12, lines 25-57].

As to claim 12, Wilson et al suggest discloses the steps of receiving a numerical identifier. Wilson et al suggests receiving an identity verifier and communicating information to the requesting party are performed by voice communications over a phone line [column 6, lines 44-53].

As to claim 13, Wilson et al discloses that the steps of receiving a numerical identifier, receiving an identity verifier and communicating information to the requesting party are performed through electronic communication through a wide area network [column 5, lines 21-38].

6. Claims 14, 17-19, 23 and 24 are rejected under 35 U.S.C. 102(e) as being anticipated by Pare, Jr. et al U.S. Patent No. 6,154,879.

As to claim 14, Pare, Jr. et al discloses obtaining a list of at least two identity verifiers. Pare, Jr. et al discloses linking the list of identity verifiers to at least one numerical identifier wherein the numerical identifier is associated with a registered user [column 4 line 60 to column 5 line 33]. Pare, Jr. et al discloses creating categories of transactions. Pare, Jr. et al discloses receiving instructions from the registered user designating the categories of transactions that require an identity verifier. Pare, Jr. et al discloses receiving a numerical identifier from a requesting party. Pare, Jr. et al discloses receiving information from the requesting party specifying the type of transaction occurring [column 14, lines 35-64]. Pare, Jr. et al discloses determining whether the transaction requires the use of an identity verifier. Pare, Jr. et al discloses communicating information to the requesting party wherein the information communicated indicates whether an identity verifier is required for the specified transaction [column 17, lines 9-39].

As to claim 17, Pare, Jr. et al discloses that the input module is a keyboard [column 6, lines 19-37].

As to claim 18, Pare, Jr. et al discloses that the communications module is a serial port and a modem [column 6, lines 19-37].

As to claim 19, Pare, Jr. et al discloses that the communications module is a network adapter [column 6, lines 19-37].

As to claim 23, Pare, Jr. et al discloses that the output module comprises a display screen [column 6, lines 19-37].

As to claim 24, Pare, Jr. et al discloses that the output module comprises a monitor [column 6, lines 19-37].

7. Claims 15 and 16 are rejected under 35 U.S.C. 102(e) as being anticipated by Challener et al U.S. Patent No. 6,081,793.

As to claim 15, Challener et al discloses a database for storing information pertaining to a registered user [column 3, lines 10-28]. Challener et al discloses that the database is configured to receive at least one numerical identifier associated with the registered user and at least two identification verifiers associated with the registered user. Challener et al discloses an input module for inputting at least one numerical identifier associated with a registered user and at least two identification verifiers associated with a registered user into the database so that the at least one numerical identifier is linked to the at least two identification verifiers [column 7 line 38 to column 8 line 9]. Challener et al discloses a communications module for two way communications for receiving a numerical identifier and an identification verifier, and for communicating a message relating to whether the received numerical identifier is linked to the received identification verifier [column 8, lines 19-30]. Challener et al discloses a processor module for comparing the numerical identifier and identification verifier received by the communications module with the information in the database to determine whether the received numerical identifier is linked to the received identification verifier [column 8 line 53 to column 9 line 27].

As to claim 16, Challener et al discloses that the database and the processor module are contained within a single computer [column 4, lines 15-29].

8. Claims 20-22 are rejected under 35 U.S.C. 102(b) as being anticipated by Kaehler U.S. Patent No. 6,081,793.

As to claim 20, Kaehler discloses an input module for inputting a numerical identifier and an identification verifier [column 6 lines 4-35]. Kaehler discloses a communications module for sending a numerical identifier and an identification verifier and for receiving a message indicating whether the numerical identifier is linked to the identification verifier. Kaehler discloses an output module for reporting the received message [column 7 line 48 to column 8 line 19].

As to claim 21, Kaehler discloses that the input module comprises a keypad [column 6, lines 42-45].

As to claim 22, Kaehler discloses that the input module comprises a keypad and a magnetic card reader wherein the magnetic card reader receives the numerical identifier and the keypad receives the identification verifier [column 6, lines 4-8].

9. Claims 25 is rejected under 35 U.S.C. 102(b) as being anticipated by Kuhns et al U.S. Patent No. 6,081,793.

As to claim 25, Kuhns et al discloses storing at least two identity verifiers in a database [column 3, lines 32-49]. Kuhns et al discloses storing at least one numerical identifier associated with the registered user in a database. Kuhns et al discloses wherein the at least two identity verifiers are linked to the at least one numerical identifier [column 3 line 50 to column 4 line 2]. Kuhns et al discloses receiving a numerical identifier. Kuhns et al discloses receiving an identity verifier [column 5 line 55 to column 6 line 10]. Kuhns et al discloses comparing the received numerical identifier and received identity verifier to the stored numerical identifier and stored

Art Unit: 2131

identity verifiers to determine whether the received identity verifier is linked to the received numerical identifier. Kuhns et al discloses communicating information to the requesting party indicating whether the received identity verifier is linked to the received numerical identifier [column 7, lines 29-53].

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Wilson et al U.S. Patent No. 6,047,281 as applied to claim 1 above, and further in view of Kuhns et al U.S. Patent No. 6,047,281.

As to claim 5, Wilson et al does not teach storing public information about the registered user whose identity is to be verified. Wilson et al does not teach creating at least two categories of requesting parties. Wilson et al does not teach receiving instructions from the registered user regarding what public information is allowed to be released to each of the at least two categories of requesting party. Wilson et al does not teach determining the category of the requesting party. Wilson et al does not teach communicating the appropriate public information to the requesting party pursuant to the instructions from the registered user.

Kuhns et al teaches storing public information about the registered user whose identity is to be verified [column 1, lines 22-38]. Kuhns et al teaches creating at least two categories of requesting parties. Kuhns et al teaches receiving instructions from the registered user regarding

Art Unit: 2131

what public information is allowed to be released to each of the at least two categories of requesting party. Kuhns et al teaches determining the category of the requesting party [column 16, lines 1-46]. Kuhns et al teaches communicating the appropriate public information to the requesting party pursuant to the instructions from the registered user [column 17, lines 24-48].

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Wilson et al so that there would have been public information stored about the registered user whose identity is to be verified. There would have been at least two categories created of requesting parties. The registered user would have sent messages regarding what public information is allowed to be released to each of the at least two categories of requesting party. The category of the requesting party would have been determined. The appropriate public information would have been sent to the requesting party pursuant to the instructions from the registered user.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Wilson et al by the teaching of Kuhns et al because it helps eliminate fraud and protects the general public from individuals with criminal records [column 2, lines 30-50]

Conclusion

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aravind K Moorthy whose telephone number is 703-305-1373. The examiner can normally be reached on Monday-Friday, 8:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz R Sheikh can be reached on 703-305-9648. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Aravind K Moorthy
April 15, 2004


AYAZ SHEIKH
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100